

AMENDMENT UNDER 37 C.F.R. § 1.114(c)

Appln No.: 10/584,220

REMARKS

Claims 1-22 were pending in the application. By this Amendment, Applicant cancels claim 7 without prejudice or disclaimer.

I. Claim Rejection - 35 U.S.C. §102

Claims 1, 2, 7, 11, 12, 17, and 21 are rejected under 35 U.S.C. §102(e) as being anticipated by Cosman et al. (US 2006/0098738, hereinafter "Cosman").

Claim 1 has been amended to include the features of claim 7. Accordingly, claim 1 now recites:

A moving picture encoding method executed by using an encoder for performing a multi-frame motion prediction with reference to a plurality of picture frames, comprising:
 selecting at least one reference frame from a plurality of reference frames of the same picture type which are used for the multi-frame motion prediction of a certain frame; and
 encoding by said encoder the selected reference frame in a higher picture quality than the other reference frames of the same picture type,
 wherein:
 said selecting step comprises selecting a plurality of reference frames, and
 said encoding step comprises encoding said plurality of selected reference frames;
 said method further comprising a step of:
 arranging the frames encoded in the higher picture quality at constant frame intervals.

Applicant submits that Cosman does not teach or suggest every feature of claim 1. In the present invention, the encoding structure is controlled such that frames encoded in a higher picture quality are periodically displayed. As described in FIG. 4 and the related explanations in the specification of the present case which illustrate the relationship between picture quality control unit 112 and code amount control unit 111, the present invention defines a code amount

AMENDMENT UNDER 37 C.F.R. § 1.114(c)

Appln No.: 10/584,220

control method using the encoding structure in which frames encoded in high picture quality are periodically displayed and at least one of frames encoded in high picture quality is included in reference frames. The feature that frames encoded in higher picture quality are periodically displayed is described in, for example, page 8, lines 10 to 20; page 16, line 9 to page 18, line 2 of the specification. According to the present invention, improvement in perceptual picture quality is achieved by combining the features that (1) frames encoded in high picture quality are periodically displayed and (2) at least one of frames encoded in high picture quality is included in reference frames.

On the other hand, Cosman disclose only the feature that at least one of frames encoded in high picture quality is included in reference frames. Applicant submits that Cosman does not teach or suggest that the encoding structure is controlled to periodically display frames encoded in a high picture quality.

Accordingly, Applicant respectfully requests that the rejection over Cosman be withdrawn.

II. Claim Rejection - 35 U.S.C. §103

Claims 3-6, 8, 13-15 and 22 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cosman in view of Hui (WO 99/63760). Applicant traverses these rejections because Hui fails to make up for the deficiencies of Cosman described above.

Claims 9 and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cosman in view of Yutaka (JP 2001-128179). Applicant traverses these rejections because Yutaka fails to make up for the deficiencies of Cosman described above.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)

Appln No.: 10/584,220

Claims 10, 16, 18, and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cosman in view of Hui and Yutaka. Applicant traverses these rejections because Hui and Yutaka fail to make up for the deficiencies of Cosman described above.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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